Please amend claim 6 (amended) as follows:

B3

6. (Twice Amended) The LED lighting fixture according to claim 5, wherein the stacked unit-type lenses are fastened by an axially extending screw that runs through bosses provided in a center of said unit-type lenses.

Please amend claim 7 as follows:

B4

7. (Amended) An LED lighting fixture comprising a plurality of LEDs each having a horizontal divergence angle of 120° - 150°, which is wider than that of a conventional LED, and a vertical divergence angle that is narrower than that of a conventional LED.

REMARKS

Applicant has amended claims 1, 4, 6 and 7. Applicant respectfully submits that the amendments to the claims are supported by the application as originally filed and do not contain any new matter. Accordingly, the Office Action will be discussed in terms of the claims as amended.

The Examiner has rejected claims 1-3 under 35 USC 103 as being obvious over McDermott in view of Ryan Jr. et al., stating that McDermott discloses a multi-source lighting device comprising a plurality of light distributing LEDs S1-S6 mounted in a circular formation on a circuit board 9, but does not disclose an elliptically light distributing LEDs; Ryan Jr. et al. discloses a lens located in a horizontal position made of a film in front of an elliptically light distributing light emitting diode 12; and it would have been obvious to one of ordinary skill in the art to modify McDermott to include the elliptically light distributing light emitting diodes of Ryan Jr. et al.

Applicant has carefully reviewed McDermott and as admitted by the Examiner, McDermott teaches the utilization of conventional LEDs and does not disclose elliptically light distributing LEDs. Still further, Applicant's review of McDermott indicates that the lens 32 of McDermott does not diffuse the light in the horizontal direction and in fact is merely a normal lens.

Moreover, Applicant has carefully reviewed Ryan Jr. et al. and respectfully submits that the LEDs of Ryan Jr. et al. are merely conventional LEDs and not elliptically emitting LEDs (see col. 4, lines 18, 19 and 48-51) of Ryan Jr. et al.

In view of the above, therefore, Applicant respectfully submits that the combination of McDermott and Ryan Jr. et al. is not Applicant's invention. Therefore, Applicant respectfully submits that claims 1-3 are not obvious over McDermott in view of Ryan Jr. et al.

The Examiner has rejected claims 4-6 under 35 USC 103 as being obvious over McDermott in view of Ryan Jr. et al., stating that McDermott teaches all of Applicant's invention except for a screw that runs through the bosses of the lighting fixture which fastens the stack units or lenses together; Ryan Jr. et al. discloses an optical lens cell and illuminated signage having a cell array comprising a plurality of elliptically distributing LEDs 12 mounted on a printed circuit board in a horizontal position adjacent to a unit-type lens 18 for illuminating each light emitting diode in a horizontal direction and a screw 19 to hold the lens 18 in place to the printed circuit board; and it would have been obvious to one of ordinary skill in the art to modify McDermott in view of the teachings of Ryan Jr. et al.

In reply thereto, Applicant would like to incorporate by reference his comments above concerning McDermott, Ryan Jr. et al. and Applicant's invention. In addition, Applicant's further review of Ryan Jr. et al. indicates that not only does it not teach elliptically radiating LEDs but also the screw 19 in Ryan Jr. et al. extends radially and is not axially and does not extend through the center.

In view of the above, therefore, Applicant respectfully submits that the combination of McDermott and Ryan et al. is not Applicant's invention. Therefore, Applicant respectfully submits that claims 4-6 are not obvious over McDermott in view of Ryan Jr. et al.

The Examiner has rejected claim 7 under 35 USC 103 as being obvious over Ryan Jr. et al., stating that Ryan Jr. et al. discloses the claimed invention except for the LEDs having a divergence angle of 120-150 degrees and it would have been obvious to one of ordinary skill in the art to provide such a divergence angle.

In reply thereto, Applicant would like to incorporate by reference his comments above concerning Applicant's invention and Ryan Jr. et al. and again point out that Ryan Jr. et al. utilizes conventional LEDs that are not of the elliptically emitting type (see col. 4, lines 18, 19 and 48-51 of Ryan Jr. et al.).

In view of the above, therefore, Applicant respectfully submits that claim 7 is not obvious over Ryan Jr. et al.

Attached hereto is a marked-up version of the changes made to the claims by the current amendment. The attached page is captioned "Version with markings to show changes made."

In view of the above, therefore, it is respectfully requested that this Amendment be entered, favorably considered and the case passed to issue.

Please charge any additional costs incurred by or in order to implement this Amendment or required by any requests for extensions of time to KODA & ANDROLIA DEPOSIT ACCOUNT NO. 11-1445.

Respectfully submitted,

KODA & ANDROLIA

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William L. Androlia
Name

_____ 1/30/2003
Signature Date

Application No. 09/706,408

VERSION WITH MARKINGS TO SHOW CHANGES MADE

IN THE CLAIMS:

Claim 1 has been amended as follows:

1. (Amended) An LED lighting fixture wherein a plurality of elliptically light distributing LEDs are arranged radially on a horizontal circumference [so that] and wherein each of said plurality of elliptically light distributing LEDs have a wider divergence angle [of each LED is] horizontally [oriented] than vertically.

Claim 4 has been amended as follows:

4. (Amended) An LED lighting fixture wherein a lens is comprised of a unit-type lens, and a plurality of elliptically light distributing LEDs are provided in a center of said unit-type lens and arranged radially on a horizontal circumference and wherein each of said plurality of elliptically light distributing LEDs have a wider divergence angle horizontally than vertically.

Claim 6 (amended) has been amended as follows:

6. (Twice Amended) The LED lighting fixture according to claim 5, wherein the stacked unit-type lenses are fastened by [a] an axially extending screw that runs through bosses provided in a center of said unit-type lenses.

Claim 7 has been amended as follows:

7. (Amended) An LED lighting fixture comprising a plurality of LEDs each having a horizontal divergence angle of 120° - 150°, which is wider than that of a conventional LED, and a [perpendicular] vertical divergence angle that is narrower than that of a conventional LED.